

Town Board Minutes

Meeting No. 8

Regular Meeting

February 24, 2003

Town Board Minutes

February 24, 2003

Meeting No. 8

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 24th day of February 2003 at 8:00 P.M. and there were

PRESENT: MARK MONTOUR, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR

ABSENT: RICHARD ZARBO, COUNCIL MEMBER

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
ROBERT LABENSKI, TOWN ENGINEER
RICHARD SHERWOOD, TOWN ATTORNEY
JEFFREY SIMME, BUILDING INSPECTOR
CHRISTINE FUSCO, ASSESSOR
TERRENCE McCracken, GENERAL CREW CHIEF
RICHARD REESE JR., HIGHWAY SUPERINTENDENT
SUZANNE BLANK, CLERK TYPIST

PERSONS ADDRESSING TOWN BOARD:

Rible, Mark, 6830 Transit Road, spoke to the Town Board on the following matter:

- Questions about the possibility of the Seneca Nation's intention to build a Casino on Transit Road.

Symer, Donald, 610 Columbia Avenue, spoke to the Town Board on the following matter:

- Questions about Roseland Subdivision, Phase I.

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:31 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed Local Law of the Year 2003, which Local Law repeals in its entirety Section 40-17 of Article IV of the Code of the Town of Lancaster and enacts in place thereof a new Section 40-17 of Article IV of Chapter 40-Taxation of the Code of the Town of Lancaster.

The affidavits of publication of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME	ADDRESS	Proponent/ Opponent/ Comments/Questions
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None

ON MOTION BY COUNCIL MEMBER MONTOUR, AND SECONDED BY COUNCIL MEMBER STEMPNIAK, FOR ADJOURNMENT OF THE PUBLIC HEARING, on roll, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

The Public Hearing was adjourned at 8:32 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

February 24, 2003

PUBLIC HEARING SCHEDULED FOR 8:40 P.M.:

At 8:40 P.M., the Town Board held a Public Hearing to hear all interested persons upon a resolution authorizing a partial exemption from real property taxation for persons sixty-five (65) years of age or over on a graduated scale based upon income.

The affidavits of publication of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME	ADDRESS	Proponent/ Opponent/ Comments/Questions
David Braun	199 Kiefer Street	Questions
Gary Howell	48 Park Blvd.	Proponent

ON MOTION BY COUNCIL MEMBER STEMPNIAK, AND SECONDED BY COUNCIL MEMBER RUFFINO, FOR ADJOURNMENT OF THE PUBLIC HEARING, on roll, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

The Public Hearing was adjourned at 8:47 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

February 24, 2003

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

RESOLVED, that the minutes of the Joint Meeting of the Planning Board and the
Town Board held February 10, 2003 and the Regular Meeting of the Town Board held February 10,
2003 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on
roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

February 24, 2003

File: RMIN (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, the Town Line Volunteer Fire Department, Inc., by letter dated
February 14, 2003, has requested the addition of the following individual to the membership roster
of said fire association.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms
the addition to the membership of the Town Line Volunteer Fire Department, the following
individual:

ADDITION:

James J. Ward
10 Peachtree Court
Lancaster New York 14086

The question of the adoption of the foregoing resolution was duly put to a vote on roll call
which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

February 24, 2003

File: RFIRE (P3)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster provide for the adoption and enactment of local laws, and

WHEREAS, proposed Local Law No. 1 of the Year 2003 repealing and deleting §40-17 entitled Exemption Schedule of Chapter 40-Taxation of the Code of the Town of Lancaster, and enacting in place thereof a new §40-17 of Article IV of Chapter 40 was introduced to the Town Board of the Town of Lancaster on February 10, 2003, and

WHEREAS, a public hearing was duly called and held pursuant to law on February 24, 2003.

NOW, THEREFORE, BE IT

ENACTED by the Town Board of the Town of Lancaster, Local Law No. 1 of the Year 2003, repealing and deleting §40-17 - Exemption Schedule of Article IV of Chapter 40-Taxation of the Code of the Town of Lancaster and enacting a new §40-17 of Article IV of Chapter 40-Taxation in place thereof, as follows:

**TAXATION
CHAPTER 40 - ARTICLE IV**

**TAXATION
§40-17 - EXEMPTION SCHEDULE
LOCAL LAW NO. 1
OF THE YEAR 2003**

A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF LANCASTER, BY DELETING IN ITS ENTIRETY §40-17 OF CHAPTER 40 - TAXATION, AND ENACTING IN PLACE THEREOF A NEW §40-17 OF CHAPTER 40-TAXATION OF THE CODE OF THE TOWN OF LANCASTER.

BE IT ENACTED by the Town Board of the Town of Lancaster, as follows:

SECTION 1. That §40-17 of Article IV of Chapter 40-Taxation be and is hereby deleted.

SECTION 2. That a new §40-17 of Article IV, of Chapter 40-Taxation of the Code of the town of Lancaster be and is hereby enacted as follows:

§40-17. Exemption Schedule.

Real property owned by one or more persons with disabilities, or real property owned by a husband, wife, or both, or by siblings, at least one of whom has a disability, and whose income, as hereafter defined, is limited by reason of such disability, shall be exempt from taxation by the Town of Lancaster as provided in the following schedule:

<u>ANNUAL INCOME</u>	<u>PERCENTAGE ASSESSED VALUATION EXEMPT FROM TAXATION</u>
Not More than \$21,500	50 per centum
More than \$21,500 but Less than \$22,500	45 per centum
More than \$22,500 but Less than \$23,500	40 per centum
More than \$23,500 but Less than \$24,500	35 per centum
More than \$24,500 but Less than \$25,400	30 per centum
More than \$25,400 but Less than \$26,300	25 per centum
More than \$26,300 but Less than \$27,200	20 per centum
More than \$27,200 but Less than \$28,100	15 per centum
More than \$28,100 but Less than \$29,000	10 per centum
More than \$29,000 but Less than \$29,900	5 per centum

SECTION 3. This Local Law shall become effective upon filing with the Office of the Secretary of State.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk of the Town of Lancaster shall:

1. Immediately post a copy of Local Law No. 1 of the Year 2003 on the Town Bulletin Board.
2. Within ten (10) days, publish a certified copy of the Local Law abstract thereof describing the same in general terms in the Lancaster Bee, declared the official newspaper for this publication.
3. Maintain a file in the Town Clerk's Office on Local Law No. 1 of the Year 2003, with all proofs of publication and posting required for adoption.
4. File certified copies of Local Law No. 1 of the Year 2003 within ten (10) days of adoption with:
 - a) Town Clerk's office
 - b) One (1) copy with the office of the Secretary of State.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

February 24, 2003

File: rlocallawdisabilitytaxexemption203a

**LEGAL NOTICE
NOTICE OF ADOPTION
LOCAL LAW NO. 1
OF THE YEAR 2003
TOWN OF LANCASTER**

PLEASE TAKE NOTICE that there has been adopted by the Town Board of the Town of Lancaster, Erie County, New York, on February 24, 2003, Local Law No. 1 of the Year 2003, deleting and repealing §40-17 of Article IV of Chapter 40-Taxation of the Code of the Town of Lancaster, and enacts in place thereof a new §40-17 of Article IV of Chapter 40, of the Code of the Town of Lancaster, briefly described as follows:

A Local Law which repeals Section 40-17 of Article IV, Chapter 40 of the Code of the Town of Lancaster, and enacts in place thereof a new Section 40-17 of Article IV of Chapter 40, of the Code of the Town of Lancaster.

This Local Law sets forth the Exemption Schedule for disabled persons by amending the above section of the Town Code.

February 24, 2003

TAXATION
CHAPTER 40 - ARTICLE IV

TAXATION
§40-17 - EXEMPTION SCHEDULE
LOCAL LAW NO. 1
OF THE YEAR 2003

A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF LANCASTER, BY DELETING IN ITS ENTIRETY §40-17 OF CHAPTER 40 - TAXATION, AND ENACTING IN PLACE THEREOF A NEW §40-17 OF CHAPTER 40-TAXATION OF THE CODE OF THE TOWN OF LANCASTER.

BE IT ENACTED by the Town Board of the Town of Lancaster, as follows:

SECTION 1. That §40-17 of Article IV of Chapter 40-Taxation be and is hereby deleted.

SECTION 2. That a new §40-17 of Article IV, of Chapter 40-Taxation of the Code of the Town of Lancaster be and is hereby enacted as follows:

§40-17. Exemption Schedule.

Real property owned by one or more persons with disabilities, or real property owned by a husband, wife, or both, or by siblings, at least one of whom has a disability, and whose income, as hereafter defined, is limited by reason of such disability, shall be exempt from taxation by the Town of Lancaster as provided in the following schedule:

<u>ANNUAL INCOME</u>	<u>PERCENTAGE ASSESSED VALUATION EXEMPT FROM TAXATION</u>
Not More than \$21,500	50 per centum
More than \$21,500 but Less than \$22,500	45 per centum
More than \$22,500 but Less than \$23,500	40 per centum
More than \$23,500 but Less than \$24,500	35 per centum
More than \$24,500 but Less than \$25,400	30 per centum
More than \$25,400 but Less than \$26,300	25 per centum
More than \$26,300 but Less than \$27,200	20 per centum
More than \$27,200 but Less than \$28,100	15 per centum
More than \$28,100 but Less than \$29,000	10 per centum
More than \$29,000 but Less than \$29,900	5 per centum

SECTION 3. This Local Law shall become effective upon filing with the Office of the Secretary of State.

February 24, 2003

**STATE OF NEW YORK :
COUNTY OF ERIE : ss:
TOWN OF LANCASTER :**

THIS IS TO CERTIFY, that I, **JOHANNA M. COLEMAN**, Town Clerk of the Town of Lancaster in said County of Erie, have compared the foregoing copy of Local Law No. 1 of the Year 2003, with the original thereof filed in my office at Lancaster, New York, on the 24th day of February, 2003, and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Town, this 24th day of February, 2003.

Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED
ITS ADOPTION. SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, §467 of the Real Property Tax Law of the State of New York has been amended to authorize exemption from real property taxation on a graduated scale for Senior Citizens sixty-five (65) years of age or who become sixty-five (65) years of age after taxable status date, but on or before December 31 of the calendar year, with a total income of less than \$21,500 to a total not exceeding \$29,900, and

WHEREAS, the increase in income eligibility for Town Taxes will place no particular burden on the taxpaying public, but will materially improve the economic ability of our senior citizens in coping with the ravages of inflation while living on a fixed retirement income in their declining years, and

WHEREAS, the Town Board deems it in the public interest to adopt and enact said exemption from real property taxation on said graduated scale.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby adopts and enacts the following Senior Citizen Tax Exemption:

SENIOR CITIZENS TAX EXEMPTION

1. Exemption granted.

Real property owned by one (1) or more persons, each of whom is sixty-five (65) years of age or over, or real property owned by husband and wife, one (1) of whom is sixty-five (65) years of age or over or who become sixty-five (65) years of age after taxable status date, but before December 31st of the calendar year, shall be exempt from taxation by the Town of Lancaster to the extent as provided in the following schedule:

<u>ANNUAL INCOME</u>	<u>PERCENTAGE ASSESSED VALUATION EXEMPT FROM TAXATION</u>
Less than \$21,500	50 per centum
More than \$21,500 but Less than \$22,500	45 per centum
More than \$22,500 but Less than \$23,500	40 per centum
More than \$23,500 but Less than \$24,500	35 per centum
More than \$24,500 but Less than \$25,400	30 per centum
More than \$25,400 but Less than \$26,300	25 per centum
More than \$26,300 but Less than \$27,200	20 per centum

More than \$27,200 but Less than \$28,100	15 per centum
More than \$28,100 but Less than \$29,000	10 per centum
More than \$29,000 but Less than \$29,900	5 per centum

2. When effective:

This Resolution shall be effective immediately.

and

BE IT FURTHER

RESOLVED, that a Notice of the adoption of this real property exemption for Senior Citizens shall be published in the Lancaster Bee on February 27, 2003 in form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

February 24, 2003

File: rsenior tax exemption 2013a

**LEGAL NOTICE
NOTICE OF ADOPTION
AMENDMENT TO
SENIOR CITIZENS EXEMPTIONS
TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Lancaster, at its meeting held February 24, 2003, adopted and enacted the following Senior Citizen Tax Exemption from real property taxation, in accordance with §467 of the Real Property Tax Law of the State of New York:

SENIOR CITIZENS TAX EXEMPTION

Exemption granted.

Real property owned by one (1) or more persons, each of whom is sixty-five (65) years of age or over, or real property owned by husband and wife, one (1) of whom is sixty-five (65) years of age or over, or who become sixty-five (65) years of age after taxable status date, but before December 31st of the calendar year shall be exempt from taxation by the Town of Lancaster to the extent as provided in the following schedule:

<u>ANNUAL INCOME</u>	<u>PERCENTAGE ASSESSED VALUATION EXEMPT FROM TAXATION</u>
Less than \$21,500	50 per centum
More than \$21,500 but Less than \$22,500	45 per centum
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More than \$26,300 but Less than \$27,200	20 per centum
More than \$27,200 but Less than \$28,100	15 per centum
More than \$28,100 but Less than \$29,000	10 per centum
More than \$29,000 but Less than \$29,900	5 per centum

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**BY: JOHANNA M. COLEMAN
TOWN CLERK**

February 24, 2003

PREFILED RESOLUTION NO. 5 - MEETING OF 2/24/03

Ruffino/ _____

**Authorize Permit Water Lines, Storm Sewers, Pavement,
Detention Basin Roseland Subdivision Phase I [Roseland
Subdivision Phase I]**

At the request of Council Member Ruffino, this resolution was withdrawn for further study.

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER RUFFINO, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered
paid from their respective accounts as per abstract to be filed in the Office of the Town Clerk by
the Director of Administration and Finance, to wit:

Claim No. 806 to Claim No. 1009 Inclusive

Total amount hereby authorized to be paid: \$434,230.15

The question of the foregoing resolution was duly put to a vote on roll call
which resulted as follows:

COUNCIL MEMBER MONTGOMERY	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

February 24, 2003

File: Reclaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

RESOLVED that the following Building Permit applications be and are hereby
reaffirmed:

CODES:

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are
waived for this permit.

(CSW) = Conditional sidewalk waiver.

(V/L) = Village of Lancaster

NEW PERMITS:

10196	R.W. Dake & Co Inc	5386 Broadway	Er. Misc.	(V/L)
10197 SW	Pezdek, Kenneth	971 Ransom Rd	Er. Comm. Add.	
10198	Ryan Homes	15 Creekwood Dr	Er. Dwlg.-Sin.	
10199	Ryan Homes	22 Creekwood Dr	Er. Dwlg.-Sin.	
10200	North Forest Dev.	2805 Wehrle Dr	Er. Comm. Add./Alt.	
10201	Musso Heating	164 Irvinwood Rd	Repl. Sewer	(V/L)
10202	Marrano/Marc Equity	18 Farmview Ct	Er. Dwlg.-Sin.	
10203	Marrano/Marc Equity	50 Cedar Brook Dr	Er. Dwlg.-Sin.	
10204	R B Construction	5 Milton Dr	Er. Res. Add.	(V/L)

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for
sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement
for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for
conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance
required for sidewalks, however, the waiver is granted upon the expressed condition that the
Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the
expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

February 24, 2003

File:Rbldg2

SUSPENDED RESOLUTIONS:

Supervisor Giza requested a suspension of the necessary rules for immediate consideration of the following resolutions:

Council Member Stempniak moved to suspend the necessary rules for immediate consideration of the following resolutions, seconded by Council Member Ruffino, on roll call, which resulted as follows

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

SUSPENSION GRANTED

THE FOLLOWING RESOLUTION WAS OFFERED
BY, COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, Murrano/Marc Equity Corporation, 2730 Transit Road West Seneca, New York 14224, is the contract vendee to Manufacturers and Traders Trust Company on a parcel of land located on the north side of Walden Avenue, south of Pleasant View Drive, between Central Avenue and Stony Road in the Town of Lancaster, New York, and the parcel is the subject of a petition for the rezone of said property from the following: 67 ± acres of land from R1 (Residential District One) to R2 (Residential District Two), 55 ± acres of land from R1 (Residential District One) to RCO (Residential Commercial Office), 39 ± acres of land from R1 (Residential District One) to MFR-3 (Multi-Family District Three), 55 ± acres of land from R1 (Residential District One) to MFR-4 (Multi-Family District Four) to accommodate development of a multi-use development consisting of 174 ± single family homes, 120 ± patio homes, 512 ± apartment units, 10 ± offices, leaving a remainder of 42 ± acres to be dedicated as a park and nature preserve, and

WHEREAS, the Petition has been referred to the Planning Board of the Town of Lancaster for its recommendation and report, and

WHEREAS, the Planning Board has made a recommendation on November 1, 2000 to grant the zoning change with conditions as set forth in its resolution.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Sections 130 and 265 of the Town Law of the State of New York a Public Hearing on the proposed rezone will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 17th day of March, 2003, at 8:30 o'clock P.M., Local Time, and that Notice of the Time and Place of such Hearing be published in the Lancaster Bee, a newspaper of general circulation in said Town on February 27, 2003, and be posted on the Town Bulletin Board, and that Notice of such Hearing be referred to the Erie County Department of Planning, pursuant to Section 239 (m) of the General Municipal Law, which Notice shall be in form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

February 24, 2003

File: rezunepleasantmeadows22403

**LEGAL NOTICE
PUBLIC HEARING
PLEASANT MEADOWS SUBDIVISION
TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 24th day of February, 2003, the said Town Board will hold a Public Hearing on the 17th day of March, 2003, at 8:30 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed amendment to the Zoning Ordinance and Zoning Map of the Town of Lancaster, rezoning the following described real property: 67 ± acres of land from R1 (Residential District One) to R2 (Residential District Two), 55 ± acres of land from R1 (Residential District One) to RCO (Residential Commercial Office), 39 ± acres of land from R1 (Residential District One) to MFR-3 (Multi-Family District Three), 55 ± acres of land from R1 (Residential District One) to MFR-4 (Multi-Family District Four) to accommodate development of a multi-use development consisting of 174 ± single family homes, 120 ± patio homes, 512 ± apartment units, 10 ± offices, leaving a remainder of 42 ± acres to be dedicated as a park and nature preserve.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**BY: JOHANNA M. COLEMAN
Town Clerk**

February 24, 2003

SUSPENSION GRANTED

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR , WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, General Crew Chief Terrance McCracken in the Department of Recreation and Forestry has requested that the Town Board authorize an invitation to bid for the rehabilitation of the Keysa Park Town Pool involving roofing and mechanical changes in the building using funds from a grant obtained from the State of New York, and

WHEREAS, the Town Board has given due review and consideration to the request and deems it in the public interest to invite public bid.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby invites public bid for the renovation of the building at the Keysa Park Town Pool involving the roof and mechanical changes using funds obtained through a grant from the State of New York, said bids to be in conformance with the specifications attached hereto and to be received in the office of the Town Clerk, 21 Central Avenue, Lancaster, New York, no later than 10:00 A.M. Local Time on March 12, 2003 and opened thereafter.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
COUNCIL MEMBER GIZA	VOTED YES

February 24, 2003

File: rkeysaparkrenov203

**LEGAL NOTICE
TOWN OF LANCASTER
NOTICE TO BIDDERS**

NOTICE IS HEREBY GIVEN that sealed bids and/or proposals will be received by the Town Clerk of the Town of Lancaster, Erie County, New York, at the Town Hall, 21 Central Avenue, Lancaster, New York, up to 10:00 A.M., Local Time, on the 12th day of March 2003, for furnishing to the Recreation and Forestry Department of the Town of Lancaster, New York, rehabilitation to the Keysa Park Town Pool for use by the Town of Lancaster, in accordance with specifications on file in the Town Clerk's Office, 21 Central Avenue, Lancaster, New York.

A certified check or bid bond in the amount of One Thousand Dollars (\$1,000.00) payable to the Supervisor of the Town of Lancaster and a Non-Collusive Bidding Certificate must accompany each bid.

The Town reserves the right to reject any or all bids and to waive any informalities.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

BY:

**JOHANNA M. COLEMAN
Town Clerk**

February 24, 2003

COMMUNICATIONS & REPORTS:

94. Lancaster Country Club to Town Board -
Advisement of renewal of liquor license for the Halfway House. DISPOSITION = Town Attorney
95. Village of Lancaster to Town Board -
Official minutes of meeting held January 27, 2003. DISPOSITION = Received and Filed
96. Donald G. Symer to Town Board -
Transmittal of petition opposing the proposed annexation of property on Columbia Avenue to the Village of Depew. DISPOSITION = Planning Committee
97. Paul H. Przybysz to Town Board -
Comments regarding the site plan approval for Gateway Center Shopping Center. DISPOSITION = Planning Committee
98. David J. Seeger, Attorney to Supervisor -
Comments regarding the site plan of NEC Transit-William, LLC. DISPOSITION = Planning Committee
99. Jeremy A. Colby to Council Member Stempniak -
Comments and concerns regarding the rezone petition of Pleasant Meadows. DISPOSITION = Planning Committee
100. Planning Board to Town Board -
Recommendation to approve Buffalo-Lancaster Airport site plan. DISPOSITION = Town Attorney
101. Planning Board Chairman to Planning Board Members, Town Board, Town Engineer, Town Attorney, Building Inspector -
Draft copy of Planning Board minutes of meeting held February 5, 2003. DISPOSITION = Received and Filed
102. Planning Board to Town Board -
Recommend resolution to adopt specifications for cul-de-sacs and entrance islands. DISPOSITION = Resolution 2/10/03
103. Fritz K. Laistner, Elisabeth Laistner to Town Board -
Comments regarding proposed reconstruction of Transit Road. DISPOSITION = Received and Filed
104. Linda Bonsack to Town Board -
Comments regarding proposed reconstruction of Transit Road. DISPOSITION = Received and Filed
105. Josephine Wojcik, Wendy Upchurch to Town Board -
Comments regarding proposed reconstruction of Transit Road. DISPOSITION = Received and Filed
106. Town of Hamburg Council Women Kathy Hochul to Supervisor -
Notice of "Skateboard Roundtable" meeting on Friday, February 21 at 10:00 AM. DISPOSITION = Received and Filed
107. Anthony H. Suchyna to Supervisor -
Notice of retirement effective March 15, 2003. DISPOSITION = Received and Filed
108. General Crew Chief to Planning Board Chairman, Planning Board Members, Council Members Montour, Ruffino, & Stempniak -
Notice of approval from the Town Forestry Department for the site plan of Bowmansville Volunteer Fire Association, Seitz Avenue. DISPOSITION = Planning Committee
109. Adelpia Cable to Town Clerk -
Notice of new pricing schedule effective April 1, 2003. DISPOSITION = Received and Filed
110. Town Line Fire Department to Town Board -
Request for change in roster. DISPOSITION = Resolution 2/24/03

111. NYS DOT to Town Attorney -

Comments regarding the revised site plan for Gateway Center, NEC Transit Road & William Street. DISPOSITION = Planning Committee

112. Dave & Deb Haynes to Town Board -

Comments regarding proposed reconstruction of Transit Road. DISPOSITION = Planning Committee

ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER STEMPNIAK AND SECONDED BY COUNCIL MEMBER MONTOUR FOR ADJOURNMENT OF THE MEETING, on roll, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

The meeting was adjourned at 8:47 P.M. in memory of Rose Metz.

Signed


Lehana M. Coleman, Town Clerk